

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MESA UNDERWRITERS SPECIALTY)	
INSURANCE COMPANY,)	
)	
Plaintiff,)	Case No. 1:24-cv-08557
)	
vs.)	Hon. Andrew R. Wood
)	
STRENGTH IN MANAGEMENT LLC,)	
COMMUNITY INITIATIVES, INC., and)	
REPUBLIC VANGUARD INSURANCE COMPANY)	
a/s/o 7546 S PEORIA S PEORIA HOLDINGS, LLC,)	
)	
Defendants.)	

**PLAINTIFF’S MOTION FOR DEFAULT JUDGMENT AGAINST DEFENDANTS
STRENGTH IN MANAGEMENT LLC AND COMMUNITY INITIATIVES, INC.**

Pursuant to Federal Rule of Civil Procedure 55(a) and this Court’s March 5, 2025, Order (Doc. # 15), Plaintiff Mesa Underwriters Specialty Insurance Company (“MUSIC”) files this Motion for Default Judgment Against Defendants Strength in Management LLC and Community Initiatives, Inc. for their failures to plead or otherwise defend, and states as follows:

1. This is a declaratory judgment action brought pursuant to the Declaratory Judgment Act, 28 U.S.C. §§ 2201-02, and 28 U.S.C. § 1332. Jurisdiction is proper under 28 U.S.C. § 1332 because the parties are of diverse citizenship, and the amount in controversy exceeds \$75,000.
2. Venue is appropriate under 28 U.S.C. § 1391(b)(2) because all Defendants reside in this District and/or the incident that gives rise to this dispute occurred in this District.
3. MUSIC filed this declaratory judgment action seeking a determination that it has no duty to defend or indemnify Strength In Management LLC (“SIM”) or Community Initiatives, Inc. (“CII”) in connection with the underlying lawsuit captioned *Republic Vanguard Insurance*

Company a/s/o 7546 S Peoria Holdings, LLC v. Strength in Management LLC and Community Initiatives, Inc., Case No. 2023-L-010111, pending in the Circuit Court of Cook County, Illinois (the “Underlying Lawsuit”).

4. Republic Vanguard Insurance Company (“Republic”) has executed a waiver of service and appeared in this case. MUSIC does not seek any specific relief against Republic, as Republic is named solely to the extent it is considered a necessary party to this declaratory judgment action and has been joined solely to be bound by the judgment rendered in this case.

5. Despite having been properly served, neither SIM nor CII has filed an appearance, or any responsive pleading to MUSIC’s Complaint within the time required by Federal Rule of Civil Procedure 12(a).

6. On March 5, 2025, the Court issued an order directing that any motion for default be filed by March 21, 2025. (Doc. # 15).

7. On March 18, 2025, MUSIC filed a Motion For Entry of Default Judgment Against Defendants SIM and CII. (Doc. #16). While the Clerk has not yet formally entered default, given Defendants SIM and CII’s willful failure to respond or participate in this case, the entry of default is reasonably anticipated. Their continued inaction supports the expectation that default will be entered in due course.

8. As set forth in the accompanying Memorandum in Support of this Motion, the requirements for default and entry of default judgment are satisfied here. Defendants SIM and CII were properly served through their respective agents and/or a person authorized to accept service. (Doc. # 12, 13). However, Defendants SIM and CII have failed to respond, appear, answer, plead, or otherwise defend against MUSIC’s complaint. Rather, they willfully disregard the litigation entirely.

9. Furthermore, as set forth in the accompanying Memorandum in Support of this Motion, the insurance policy at issue does not provide coverage for the Underlying Lawsuit. The damages sought in the Underlying Lawsuit are barred from coverage by applicable policy exclusions, including but not limited to the Damage to Property Exclusion. Additionally, Defendant CII does not qualify as an “insured” under the insurance policy.

WHEREFORE, Plaintiff Mesa Underwriters Specialty Insurance Company respectfully moves this Court, pursuant to Federal Rule of Civil Procedure 55(b), to enter a default judgment against Defendants Strength in Management LLC and Community Initiatives, Inc., declaring that MUSIC has no duty to defend or indemnify Strength in Management LLC and/or Community Initiatives, Inc. with respect to the Underlying Lawsuit.

Dated: March 21, 2025

Respectfully submitted:

MESA UNDERWRITERS SPECIALTY
INSURANCE COMPANY

/s/ Yixin “Sam” Shangguan
Yixin “Sam” Shangguan, One of Its Attorneys

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CERTIFICATE OF SERVICE

I certify that on March 21, 2025, I electronically filed the foregoing with the Clerk of the Court using Odyssey EFile and Serve Indiana and also served by electronically transmitting same to all counsels of record.

/s/ Yixin "Sam" Shangguan